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February 5, 2020

Via Email

Martin Sabelli
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And other counsel

Re: *United States v. Nelson et al.*, CR 17-0533 EMC

Supplemental Expert Disclosure regarding Jeremy Sheetz

Dear Counsel:

We write to provide you with additional information regarding the anticipated expert testimony of Jeremy Scheetz, Intelligence Operations Specialist with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and in response to your discovery letter dated January 10, 2020. To begin with, we believe your request—which demands, for example, the production of all “investigative facts and evidence written or relied upon by Sheetz”—goes significantly beyond what Rule 16 requires, and what would be feasible to produce. As you know, “Rule 16(a)(1)(G) does not require recitation of the chapter and verse of the experts’ opinions, bases and reasons.” *United States v. Cerna*, 2010 WL 2347406, at *2 (N.D. Cal. June 8, 2010). In fact, your request appears to be precisely the type of request that Judge Alsup rejected in *Cerna*. *Id.* (rejecting request for (among other things) “any literature relied upon by” the proposed expert).

Nonetheless, in order to expedite the resolution of this issue, we provide the following information to supplement the Government’s prior disclosures regarding Intelligence Operations Specialist Sheetz—and specifically the bases for his anticipated testimony. Please note that this supplemental notice is not intended to expand the opinions set out in the November 4, 2019 Preliminary Expert Disclosure.

As previously set out in Sheetz’s CV, he has, since 2006, worked as either an Intelligence Research Specialist or Intelligence Operations Specialist with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). In those capacities, he has (among other tasks) debriefed active and potential Outlaw Motorcycle Gang’s (OMG) sources of information; monitored OMG events, both domestically and internationally; and served as an intelligence asset during short and

long-term OMG investigations.

More particularly, he has assisted with about 1,000 investigations involving OMGs, motorcycle clubs, and documented supporters of OMGs in the United States, Canada, Asia, Australia, Europe, and Central and South America. These include the following federal prosecutions:

- *US v. Lahey et al.*, 10-CR-765 (SDNY) and *US v. Ebeling et al.*, 10-CR-696 (EDNY)

During this investigation into the Pagan's Motorcycle Club, Sheetz debriefed confidential sources and provided intelligence that contributed to the successful infiltration of the Pagans by an ATF undercover special agent. On multiple occasions, he briefed other law enforcement officers on the tactical and strategic outlook of the investigation. During the take-down phase, he analyzed evidence seized from the Pagans.

- *United States v. Bifield et al.*, 12-CR-430 (DSC)

During this investigation into the Hell's Angels, Sheetz analyzed information provided by an ATF confidential informant. He also travelled to several Hells Angels events, and provided information to the prosecution team about adversarial OMGs.

- *US v. Rosga et al.*, 10-CR-170 (EDVA)

During this investigation into the Mongols Motorcycle Club and Outlaws Motorcycle Club, Sheetz debriefed confidential informants and provided intelligence that led to three ATF special agents infiltrating the Mongols and Outlaws. Throughout the investigation, he maintained charts, timelines, and other information documenting the course of the investigation.

In addition, Sheetz's contribution to state investigations has included the following:

- At the request of the Randolph County, North Carolina District Attorney's Office, Sheetz contributed to a homicide investigation involving Hells Angel Michael Russ. Sheetz interviewed potential witnesses, reviewed and analyzed Hells Angels indicia seized during Russ's arrest, and briefed the District Attorney's office on (among other things), the history and symbols of the Hells Angels.
- At the request of the Commonwealth Attorney's Office, Augusta County, Virginia; United States Attorney Office, Charlottesville, Virginia; ATF Roanoke, Virginia Field Office; and FBI Charlottesville, Virginia Resident Office, Sheetz briefed law enforcement agencies on the Hells Angels following the September 2018 Augusta County shooting. In addition, Sheetz listened to hours of jail calls and reviewed and analyzed Hells Angels documents that were seized during the investigation.

During the course of his career, Sheetz has also had the opportunity to review internal Hells Angels documents, and discuss these documents with confidential sources and other law enforcement officers. Some examples of the types of documents that Sheetz has reviewed have been previously produced:

| Document | Bates Pages |
|--|-----------------------------------|
| Admission Rules | Expert-00000001 |
| HAMC World Rules | Expert-00000002 – Expert-00000149 |
| Hells Angels East Coast Officers Meeting Minutes | Expert-00000150 – Expert-00000154 |
| Hells Angels Europe By Laws | Expert-00000155 – Expert-00000156 |
| The Definitive History: Evolution of the Hells Angels Motorcycle Club Insignia and Corporation | Expert-00000157 – Expert-00000173 |
| Hells Angels Motorcycle Club San Bernardino Ca. Charter Bylaws | Expert-00000174 |
| HAMC United States Rules – November 9, 2005 | Expert-00000175 – Expert-00000176 |
| HAMC World Rules – March 8, 2006 | Expert-00000195 – Expert-00000198 |
| Hells Angels Motorcycle Club World Rules 2012 | Expert-00000199 – Expert-00000220 |
| Hells Angels Motorcycle Club – West Coast | Expert-00000221 |
| Hells Angels Motorcycle Club World Rules 2017 | Expert-00000222 – Expert-00000253 |
| Left and Out – European Working Group | Expert-00000319 - Expert-00000321 |
| Paperwork to Admission Rules 2009 | Expert-00000322 |
| Paperwork to Constitutional Rules 2009 | Expert-00000324 |
| Paperwork to Corporation Rules 2009 | Expert-00000325 – Expert-00000326 |
| Paperwork to Internet Rules 2009 | Expert-00000327 |
| Paperwork to Organisational Rules 2009 | Expert-00000328 – Expert-00000332 |
| Paperwork to Prohibitive Rules 2009 | Expert-00000333 |
| Paperwork to Prospect Rules 2009 | Expert-00000334 |
| Paperwork to Riding Rules 2009 | Expert-00000335 |
| Paperwork to Voting Rules 2009 | Expert-00000336 |
| Letter Re: Rules for Joining | Expert-00000337 – Expert-00000342 |
| Stuttgart Meeting Minutes | Expert-00000343 – Expert-00000361 |
| Bylaws: Prospects and Prospect Clubs | Expert-00000362 – Expert-00000363 |
| HAMC World Rules – April 16, 2000 | Expert-00000364 |
| Hells Angels Motorcycle Club World Rules | Expert-00000366 - Expert-00000395 |

Sheetz has also reviewed a number of Hells Angels documents seized during the course of this case. These documents include:

| Document | Bates Page |
|---|-------------------------------|
| The Prospect/Hangaround Kit | HA-00042323 |
| Sonoma County – Out of Club | HA-00045260 |
| Out of Club | HADOCS-002772 |
| Rosters | HADOCS-002774 |
| Hells Angels Motorcycle Club World Rules 2012 | HADOCS-004911 – HADOCS-004951 |
| Hells Angels Rules: Motions for years 2002 - 2008 | HADOCS-004965 – HADOCS-005015 |

Sheetz has also reviewed expert reports prepared by other law enforcement officers on the Hells Angels. An example of such a report has been previously produced:

| Document | Bates Pages |
|--|-----------------------------------|
| Jorge Gil-Blanco Statement of Opinion: Hells Angels Outlaw Motorcycle Gang | Expert-00000254 – Expert-00000318 |

Please contact me if you have any questions concerning the foregoing.

Very truly yours,

DAVID L. ANDERSON
United States Attorney

/s/
AJAY KRISHNAMURTHY
KEVIN BARRY
Assistant United States Attorneys